

REMARKS

Responsive to the Office Action dated 13 September 2001, claims 1-11 have been amended. Claims 1-11 are currently pending in the application. No new matter has been added. Reconsideration of the claims is respectfully requested.

In paragraph 2 on page 2 of the Office Action, claims 2-11 were rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Applicant respectfully traverses this rejection, but has amended the application to overcome the objections and to expedite prosecution. The Applicant respectfully asserts that the amendments made to the claims were only made to overcome the lack of antecedent basis rejections. Claims 2-11 have been amended. It is believed that all claims comply with 35 U.S.C. §112.

In paragraph 4 on page 3 of the Office Action, claims 1-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sanmugam. According to the Office Action, Sanmugam identically discloses the Applicant's invention, as recited in claim 1.

The Applicant respectfully traverses these rejections. The Applicant respectfully disagrees and submits that the cited reference does not disclose, teach or suggest the invention. The Applicant respectfully submits that there are patentable differences between the cited reference and the Applicant's invention, as recited in the claim. The Applicant's invention differs from the cited reference in at least the following respects.

Sanmugam fails to teach, suggest or disclose a method of trace activation in a mobile communications system, wherein a trace report is generated for a mobile station,

and a communication from a mobile station is directed to a predefined trace activation number and tracing is activated for the communicating mobile station.

Rather, Sanmugam teaches a method of detecting fraud in a radio communications network. The method of Sanmugam uses tracing of mobile subscriber activity to reveal unusual or fraudulent activity. In every instance where tracing is applied in the method as taught by Sanmugam, the tracing is initiated and terminated by an operator. In column 23 lines 9-30, Sanmugam specifically teaches that a system operator searches for and verifies the existence of target mobile stations. The operator may specify a search location or target a specific cell. The search command may be issued by the operator of either a serving exchange or the home system. The operator issuing the locating command is again repeated in column 23, lines 50-52 and column 24, lines 7-10.

Sanmugam further teaches in column 25, lines 17-26, that the system operator may trace subscribers in any network or system location to which they may travel or only trace subscribers in a particular geographic location. In Sanmugam, an operator identifies suspicious regions and suspicious subscribers to monitor and trace.

Sanmugam does not teach a method of trace activation in a mobile communications system, wherein a trace report is generated for a mobile station, and a communication from a mobile station is directed to a predefined trace activation number and tracing is activated for the communicating mobile station, as recited in Applicant's claim 1.

In contrast, the Applicant teaches in claim 1 a method of trace activation in a mobile communications system, wherein a trace report is generated for a mobile station, and a communication from a mobile station is directed to a predefined trace activation

number and tracing is activated for the communicating mobile station. The Applicant teaches a method wherein the mobile station initiates the trace activity by placing a call or sending a message in a call to a predefined trace activation number. Significant advantages are obtained through application of the method wherein the mobile station initiates the tracing activity. By having the mobile station initiate tracing activity, the switching center is relieved of the duty, and the system is optimized to increase the quality of mobile communications and the number of mobile subscribers able to communicate on the system. An operator is not required to initiate the tracing activity in the method as taught by the Applicant, so the system is further optimized and automated.

Sanmugam utterly fails to consider the Applicant's invention, as recited in claim 1. Sanmugam is different than Applicant's invention because the method taught by Sanmugam requires an operator to initiate and terminate tracing activity, while in Applicant's invention tracing activity is initiated by the mobile station.

Sanmugam is also different than Applicant's invention because the Applicant's mobile station calls a predefined trace activation number to initiate tracing activity, while Sanmugam does not even remotely consider the concept of a mobile station initiating tracing activity by calling a predefined trace activation number.

Thus, the Applicant respectfully submits that claim 1 is allowable over the cited reference.

Because claims 2-11 depend from independent claim 1, respectively, include the features recited in the independent claim, as well as additional features, the Applicant respectfully submits that claims 2-11 are also patentably distinct over the cited reference. Nevertheless, the Applicant is not conceding the correctness of the

Office Action's position with respect to such dependent claims and reserves the right to make additional arguments, if necessary.

On the basis of the above remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance is earnestly solicited.

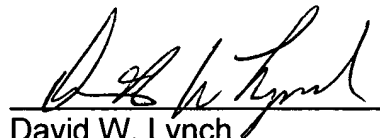
Respectfully submitted,

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APPENDIX A
MARKED UP VERSION OF THE ENTIRE CLAIM SET

Please amend claims 1-11 as follows.

1 1. ~~(Amended)~~ A method of trace activation in a mobile communications
2 system, wherein a mobile station [(MS)] is in communication with the mobile
3 communications network, whereby a trace report is generated for a mobile station
4 [(MS)], wherein [characterized in that] the method comprises [includes the following
5 steps] :

6 a communication from a mobile station [(MS)] is directed to a predefined
7 trace activation number and
8 tracing is activated for the communicating mobile station [(MS)].

1 2. (Amended) [A] The method according to claim 1, wherein [characterized
2 in that] the method further comprises [includes the steps of] :

3 a call from the mobile station [(MS)] is directed to the predefined trace
4 activation number,
5 tracing is activated for the calling mobile station [(MS)], and
6 tracing is deactivated when the call is ended.

1 3. (Amended) [A] The method according to claim 1, wherein [characterized
2 in that] the method further comprises [includes the steps of] :
3 a message from the mobile station [(MS)] is directed to the predefined trace
4 activation number and
5 tracing is activated for the said mobile station [(MS)].

1 4. (Amended) [A] The method according to claim 3, wherein [characterized
2 in that] the method further comprises [includes the step of] :
3 tracing is deactivated when a preset time period is elapsed.

1 5. (Amended) [A] The method according to claim 3, wherein [characterized
2 in that] the method further comprises [includes the step of] :
3 tracing is deactivated when a second message from the mobile station
4 [(MS)] is directed to the predefined trace activation number.

1 6. (Amended) [A] The method according to claim 1, wherein [characterized
2 in that] the method further comprises [includes the step of] :
3 defining at least one said trace activation number.

1 7. (Amended Twice) [A] The method according to claim 1, wherein
2 [characterized in that] the call is made to a predefined trace activation number.

1 8. (Amended Twice) [A] The method according to claim 1, wherein
2 [characterized in that] the call is forwarded to a predefined trace activation number.

1 9. (Amended Twice) [A] The method according to claim 1, wherein

2 [characterized in that] the method further comprises [includes the following step] :

3 tracing is activated and deactivated automatically at the switching center

4 [(MSC)].

1 10. (Amended Twice) [A] The method according to claim 1, wherein

2 [characterized in that] subscriber tracing is activated for the communicating mobile

3 station [(MS)].

1 11. (Amended Twice) [A] The method according to claim 1, wherein

2 [characterized in that] equipment tracing is activated for the communicating mobile

3 station [(MS)].